

March 6, 2020

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VIA ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square, Courtroom 2203
New York, NY 10007

RE: Himelda Mendez v. The Men's Wearhouse, Inc.
Case No. 1:19-cv-11765-RA

JOINT STATUS LETTER

Dear Judge Abrams,

In accordance with Your Honor's Court Order of January 3, 2020 (ECF No. 5), the undersigned Counsel for Plaintiff and Defendant submit this Joint Status Letter to update the court on the status of this action and to jointly request a stay of this action until August 6, 2020.

By way of background, on January 3, 2020, the Court ordered the parties to meet and confer for at least one hour in a good-faith attempt to settle this action. (*Id.*) On February 18, 2020, counsel for the parties met and conferred regarding the prospect of settlement in compliance with the Court's Order. The parties are not requesting to be referred to mediation or to the magistrate Judge. Defendant's response to the Complaint is currently due on April 13, 2020. (ECF No. 13.)

The parties respectfully request that this action be stayed to allow for the resolution of motions to dismiss in similar matters arising out of gift cards that do not include Braille, which are currently pending before the Court and other judges in this District and the Eastern District of New York. The stay would allow the parties to have the benefit of the Court's analysis of the issues in other matters which will inform their assessment of the pending case. It will also conserve resources of both the parties and the Court. Similar stays were recently granted on the same grounds by this Court in *Delacruz v. Five Below, Inc.*, Case No. 1:19-cv-10294-RA (S.D.N.Y.) (ECF No. 16) and *Matzura v. New Balance Athletics, Inc.*, Case No. 1:19-cv-11344-RA (S.D.N.Y.) (ECF No. 18), by Judge Caproni in *Calcano v. Drybar Holdings LLC*, Case No. 1:19-cv-11389-VEC (S.D.N.Y.) (ECF No. 10), by Judge Woods in *Calcano v. Domino's Pizza, Inc.*, Case No. 1:19-cv-09823-GHW (S.D.N.Y.) (ECF No. 24) and *Delacruz v. Jamba Juice, Inc.*, Case No. 1:19-cv-10321-GHW (S.D.N.Y.) (ECF No. 20), by Judge Failla in *Calcano v. Guess, Inc.*, Case No. 1:19-cv-10441-KPF (S.D.N.Y.) (ECF No. 18), by Judge Ramos in *Dominguez v. Marshalls of MA, Inc.*, Case No. 1:19-cv-10626 (S.D.N.Y.) (ECF No. 20), and by Judge Daniels in *Delacruz v. Converse Inc.*, Case No. 1:19-cv-10293-GBD (S.D.N.Y.) (ECF No. 20.) The orders are enclosed for the Court's convenience.

Counsel for the parties are available at the Court's convenience if Your Honor would like to discuss the status of this action any further.

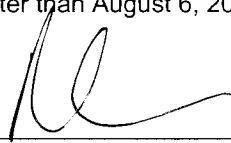
Jointly & Respectfully submitted,

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Application granted. This action is hereby stayed. The parties shall submit a joint status letter to the Court no later than August 6, 2020.

SO ORDERED.



Hon. Ronnie Abrams
3/9/2020